

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

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Gary D. Smith,	)	
On behalf of himself and all others	)	
Similarly situated,	)	<b>Case No.: 8:14-cv-0183</b>
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b>(Class Action)</b>
GURSTEL CHARGO, PA, ET AL.,	)	
	)	
Defendants.	)	
	)	

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**PLAINTIFF'S RESPONSE TO THE DEFENDANTS'  
MOTION TO MODIFY FINAL JUDGMENT**

Plaintiff Gary D. Smith, on behalf of himself and all others similarly situated, by and through his undersigned counsel, responds to the Defendants' Motion to Modify Final Judgment (Filing No. 34) as follows:

It is Plaintiff's position that the Court's Order of Final Approval of Class Action Settlement (Filing No. 32) and the Judgment awarding fees (Filing No. 33) are proper in all respects and comply with the Federal Rules of Civil Procedure.

Dated: May 4, 2015

Respectfully submitted,  
Gary D. Smith, on behalf of himself  
and all others similarly situated,  
Plaintiff,

By: /s/ Pamela A. Car

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ATTORNEYS FOR PLAINTIFF AND  
THE PUTATIVE CLASS

**Certificate of Service**

I hereby certify that on May 4, 15 I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which will send notification of such filing to the following:

NONE

and I certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

None

By: /s/Pamela A. Car